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5_{B. No.}70

A BILL TO BE ENTITLED

1				AN	ACT					
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charged by the Texas Department of fees 3 Resources.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 5.182, Water Code, is amended to read as follows: 6

Sec. 5.182. FEES. (a) The executive director shall charge and collect the fees prescribed by this section. The executive director shall make a record of fees prescribed when due and shall render an account to the person charged with the fees. Each fee is a separate charge and is in addition to other fees unless provided otherwise.

- (b) Except as specifically provided by this section, the [The] fee for filing an application or petition is \$25 plus the cost of any required notice.
- (c) The fee for filing a water permit application is \$75 16 17 plus the cost of required notice.
- (d) The fee for filing an application for fixing or 18 19 adjusting rates is \$100 plus the cost of required notice.
- (e) The fee for filing a water district creation petition or 20 conversion resolution is \$60 plus the cost of required notice. 21
- 22 (f) The fee for filing a bond issue application is \$100 plus 23 the cost of required notice.
- 24 (g) [(e)] The fee for recording an instrument in the office

- of the commission is \$1 per page.
- 2 (h) [(d)] The fee for the use of water for irrigation is 50
- 3 cents per acre to be irrigated.
- 4 (i) [(e)] The fee for impounding water, except under Section
- 5 11.142 of this code, is 50 cents per acre-foot of storage, based on
- 6 the total holding capacity of the reservoir at normal operating
- 7 level, provided that no additional fee shall be charged for
- 8 recreational use for any impoundments of water now or hereafter
- 9 permitted by the state or exempted from permit by statute.
- 10 (j) $[\{f\}]$ The fee for other uses of water not specifically
- 11 named in this section is \$1 per acre-foot, except that no political
- subdivision may be required to pay fees to use water for recharge
- 13 of underground freshwater-bearing sands and aquifers or for
- 14 abatement of natural pollution.
- 15 (k) [(g)] A fee charged under this section for one use of
- 16 water under a permit from the commission may not exceed \$5,000.
- 17 The fee for each additional use of water under a permit for which
- 18 the maximum fee is paid may not exceed \$1,000.
- 19 (1) [(h)] The fees prescribed by Subsections (h) through (j)
- 20 [(d)--through--(f)] of this section are one-time fees, payable when
- 21 the application for an appropriation is made. However, if the
- 22 total fee for a permit exceeds \$1,000, the applicant shall pay
- one-tenth of the fee when the application is filed, one-tenth
- 24 within 30 days after notice is mailed to him that the permit is
- granted, and the balance before he begins to use water under the
- 26 permit. If the applicant does not pay all of the amount owed
- 27 before he begins to use water under the permit, his permit is

- 1 annulled.
- 2 (m) $\{\pm\}$ When a permit is annulled, the matter shall revert
- 3 to the status of a pending, filed application and, upon the payment
- of use fees as provided by this subsection together with sufficient
- 5 postage fees for mailing notice of hearing, the commission shall
- 6 set the application for hearing and proceed as provided by this
- 7 code.
- 8 SECTION 2. Sections 18.054 and 18.082, Water Code, are
- 9 amended to read as follows:
- 10 Sec. 18.054. LICENSE FEE. The fee for an original or
- renewal license is \$150 [\$50].
- 12 Sec. 18.082. PERMIT FEE. The fee for each permit is
- 13 \$75 [\$25].
- SECTION 3. Section 51.029(a), Water Code, is amended to read
- 15 as follows:
- 16 (a) A petition to create a multi-county district shall be
- accompanied by a deposit of \$600 [\$250] for the use of the state,
- and no part of the deposit may be returned except as provided in
- 19 Subsection (c) of this section.
- SECTION 4. Section 54.017(a), Water Code, is amended to read
- 21 as follows:
- 22 (a) The petition shall be accompanied by a deposit of
- \$600 [\$250] which shall be paid to the commission for the use of
- 24 the state, and no part of the deposit shall be returned except as
- provided in Subsection (c) of this section.
- SECTION 5. Section 54.030(c), Water Code, is amended to read
- 27 as follows:

- 1 (c) A copy of the resolution shall be filed with the
- 2 commission along with a deposit for costs of \$600 [\$250] which
- 3 shall be used by the commission as provided in Section 54.017 of
- 4 this code.
- SECTION 6. Section 58.029(a), Water Code, is amended to read
- 6 as follows:
- 7 (a) A petition to create a multicounty district shall be
- 8 accompanied by a deposit of $\frac{$600}{$}$ [\$250] for the use of the state,
- 9 and no part of the deposit may be returned except as provided in
- 10 Subsection (c) of this section.
- 11 SECTION 7. This Act takes effect September 1, 1983, and
- 12 applies to fees payable on or after that date.
- SECTION 8. The importance of this legislation and the
- 14 crowded condition of the calendars in both houses create an
- 15 emergency and an imperative public necessity that the
- 16 constitutional rule requiring bills to be read on three several
- days in each house be suspended, and this rule is hereby suspended.

S	R	No.	10
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By_ LEEDOM

AN ACT relating to fees charged by the Texas Department of Water Resources.

12/17/87	Filed with the Secretary of the S	Senate					
JAN 11 1983	Read, referred to Committee on §	TATE AFFAIRS					
	Reported favorably						
	Reported adversely, with favoral read first time.	ole Committee Substitute;	Committee Substitute				
	Ordered not printed.		-				
	Senate and Constitutional Rules	to permit consideration su unanimous consent. yeas, nays.	spended by				
	To permit consideration, reading suspended by vote ofyeas	g and passage, Senate and	d Constitutional Rules				
•	Read second time and $\begin{cases} \text{ordered} \\ \text{passed} \end{cases}$	d engrossed. to third reading.					
	_ Caption ordered amended to conform to body of bill.						
	Senate and Constitutional 3-Day	-					
	Read third time and passed by	a viva-voce voteyeas,nays.					
OTHER ACTIO	N:						
•							
,	_ Engrossed						
	_ Sent to House	ENGROSSIN	IG CLERK				

	_ Received from the Senate
	Read first time and referred to Committee on
	Reported favorably amended, sent to Printer at
	_ Printed and Distributed
	Sent to Committee on Calendars
	Read Second time (amended): passed to third reading (failed)
	by (Non-Record Vote) Record Vote of yeas, nays
	Present, not voting.
	Constitutional Rule requiring bills to be read on three several days suspended (failed to suspend) by a four-fifths vote of yeas present not voting.
	Read third time (amended); finally passed (failed) by a (Non-Record Vote) Record Vote of yeas nays present not voting.
	_ Caption ordered amended to conform to body of bill.
	_ Returned to Senate.
	Chief Clerk of the House